

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 15, 2008. Claims 1 and 12 are in the application, with Claim 1 being independent. Claim 1 has been amended herein. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 1 and 12 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,034,506 (Hall). Reconsideration and withdrawal are respectfully requested.

Independent Claim 1 generally concerns a rechargeable battery which includes a plurality of connected cells. The battery includes a pair of first electrodes configured to extract electric power from the battery, and a pair of second electrodes which is different from the pair of first electrodes and is configured to charge and discharge each of the plurality of cells individually. The battery further includes a switch configured to series connect the plurality of cells when the battery is not attached to a charger such that electric power can be extracted from the series-connected plurality of cells through the pair of first electrodes, and configured to electrically separate the plurality of cells from one another when the battery is attached to the charger such that each of the plurality of cells can be charged individually by the charger through the pair of second electrodes.

Thus, among its many features, Claim 1 provides for (i) a pair of second electrodes which is different from a pair of first electrodes and is configured to charge and discharge each of a plurality of cells individually, and (ii) a switch configured to electrically separate the plurality of cells from one another when the battery is attached to the charger such that each of the plurality of cells can be charged individually by the charger through the pair

of second electrodes.

For example, Figure 6 of the specification illustrates exemplary aspects of the disclosure. In particular, the claimed pair of second electrodes may correspond with terminals +/CA-, CB+/CB-, CC+/CC- and CD+/CD- of Figure 6. In this regard, it is possible for each cell to be charged/discharged without the influence of a charging/discharging state of another cell. Of course, it should be noted that Figure 6 illustrates exemplary aspects of the disclosure, and Claim 1 is not limited as such.

Turning to the applied reference, Hall is not seen to disclose or suggest at least the features of (i) a pair of second electrodes which is different from a pair of first electrodes and is configured to charge and discharge each of a plurality of cells individually, and (ii) a switch configured to electrically separate the plurality of cells from one another when the battery is attached to the charger such that each of the plurality of cells can be charged individually by the charger through the pair of second electrodes.

As understood by Applicant, Hall discloses a system in which a first switch, Sa, is in parallel with a cell 11a and a second switch, Sb, is in series with the cell 11a. See Hall, Figures 1 and 3; and column 2, lines 60 to 62.

As can be seen in Figure 3 of Hall, each of switches Sa is seen to provide a bypass for charging current. However, Hall is not seen to disclose that a pair of second electrodes is configured to charge and discharge each of a plurality of cells individually.

Accordingly, Hall is not seen to disclose or suggest (i) a pair of second electrodes which is different from a pair of first electrodes and is configured to charge and discharge each of a plurality of cells individually, and (ii) a switch configured to electrically separate the plurality of cells from one another when the battery is attached to the charger such

that each of the plurality of cells can be charged individually by the charger through the pair of second electrodes.

Claim 1 is therefore believed to be allowable over the applied reference.

The other claim in the application is dependent from the independent claim and is believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

Regarding a formal matter, it is respectfully requested to receive an initialed copy of the Information Disclosure Statement dated May 15, 2008.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

/John D. Magluyan/
John D. Magluyan
Attorney for Applicant
Registration No. 56,867

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCBS_WS 2378688v1